FORAKER OPENS HIS FIGHT.

SERVES NOTICE THAT HE CAN'T

BE SILENCED

and That It Isn't Proper for a President to Try to Dictate Who His Successor shall Be-Defends His Course in Some-

times Opposing the President's Wishes. CANTON, Ohio, April 10.-When Senator Foraker faced his audience at the Canton

friendly to him. When he closed he had the crowd with

The cheering began and a real display of warmth was apparent when he wasdiscussing the President's dismissal of the pegro soldiers and his own efforts to get

for those soldiers a hearing of their case. When the Senator sat down an effort of a few of the banqueters to start a Roosevelt demonstration failed utterly. A call for three cheers for Roosevelt brought forth only a few responses.

Senator Foraker in opening threw down the gauntlet to the Taft faction in Ohio politics and declared his contempt for any effort of the President or any one else to mark a deadline beyond which he should not go in the discussion of public questions.

He stood on his record in Congress and declared that it was unprecedented for a President of the United States to engage in a contest to name his successor, and particularly for the President in such an offert to undertake by any threat to silence discussion or criticism of his acts and rolicies.

There were more than 400 at the banquet ables and a fair crowd heard the speeches from the gallery.

Senator Foraker's Speech.

Senator Foraker's speech in full follows: GENTLEMEN: First let me thank those having this occasion in charge for the invitation that has brought me here.

It is always a pleasure to visit your city. It is growing so rapidly and is in every way so prosperous that it is in the highest sense of the word typical of all that is best in

You are distinguished in other respects. Your city is familiar to all the world as the home and last resting place of William McKinley. His memory is cherished by every man in the land. As the years pass we appreciate more and more keenly his gentle, modest, unassuming, courteous manners, and his steadfast and loyal deotion to the great principles of Republianism as represented by Lincoln and Blaine and Sherman, and all the other great

eaders of our heroic days. greatest judicial tribunal in the world.

You may justly be proud of him. I do not know the details of your inknow, except in a general way, what your plans are for the future, but inspired by what you have accomplished and what you are to-day, I know there is ahead of you greater successes than any you have vet achieved.

My invitation for this evening generously gave me permission to select my own sub-

In the exercise of this privilege I deem my duty to first address myself to some BLAP AT BOOSBVELT.

In a Washington despatch published in the Cincinnati Times-Star I find the fol-

owing: "President Roosevelt has drawn a 'dead ine' for Senator Foraker. 'Thus far, but no farther," is the warning. It applies to the enator's forthcoming speeches in Ohio. f he goes beyond the line drawn, if he attacks President Roosevelt, President Roosevelt fil be heard from in no uncertain tones."

"The wicked flee when no man pursueth." I have not forecast the character of any speeches I am intending to make, and if I had it would seem incredible to the average mind that such a story could be anything more than a mischief making pipe ream of an overambitious correspondent.

That the President of the United States should become personally engaged in a political contest to determine his successor s without precedent, unless it be the bad precedent set by Andrew Jackson as to

Martin Van Buren. That he would enter upon such a struggle ith a declaration that he is to set limitaions upon the freedom of speech of those tho may differ from him, and that they are to disregard those limitations at their of Jackson, and is so inconsistent with the lighty of his high office and the proprieties lways to be observed, that I feel it a duty oward the President himself to enter for im. on my own motion, a disclaimer of all esponsibility for such a publication.

The time has not yet come, and nobody nows that better than the President himwhen "dead lines" can be drawn in locate for anybody to observe; nor has time come when any real man would spect them if they were drawn.

far as I am personally concerned, shall always speak with malice toward one, but according to my convictions whenever and wherever I may have occa-

sion to speak at all. Here's another -a sort of companion

ere. From the Scripps-McRae papers I ce the following: The President to his friends has named as

mbers of the combination so do him up his attitude toward Wall Street E. H. arriman, J. B. Foraker and John D. Rocke-

in view of this publication I trust I may thout impropriety say that until it was i ven out at Washington a few days ago I ever heard tell of any combination, or ast, or conspiracy to oppose the President anything; much less did I ever hear of the -called five million dollar conspiracy of we have heard so much during the

at week. trust I may be pardoned for going furand saying I never saw John D. Rockeier but once in my life, and that was twenty years ago or more while I was Gov-

I then had the pleasure of meeting him in

Continued on Fourth Page.

GOV. HUGHES AND GAMBLING. LONGWORTH IS OUT FOR TAFT. He Will Deal With Any Public Officer Who

Fails to Enforce the Law. ALBANY, N. Y., April 10 .- Despite Gov. Hughes's repeated statement of what he would do in regard to gambling, agitators are determined that they will ignore the local authorities and put it up to the Governor to stop gambling, particularly in Albany. For a time after the first of the year the local gambling resorts closed, but when the excitement was over they

opened up again. Then something else happened and they closed again. Then Board of Trade banquet to-night it was they opened. Last week they were partly plain that not near all his hearers were closed for a while, but were in full swing this week The Rev. A. S. Gregg, field secretary of the National Reform Bureau, and a local minister, the Rev. A. C. Youmans, visited

the gambling resorts of Albany, and Mr. Gregg was staked by the Rev. Mr. Youmans to play the wheel. They prepared affidavits and wanted to submit them to the Governor, but instead of seeing the Governor they called on his secretary, who informed them of what Gov. Hughes had said on March 6. At that time the Governor told everybody who had complaints to make concerning gambling that they must be first referred to the local authorities. and if the local authorities did not act, then he would avail himself of his constitutional prerogatives. The ministers say that they haven't complained to the local authorities because they know it is useless. To-night the Governor made this statement:

"If any one wishes to present affidavits to me I stand ready to receive them at any hour of the day. If affidavits are presented they will receive due consideration. My attitude is perfectly clear in this matter. If anybody has any special evidence which they desire to present to the Governor as to a violation of the law they may do so and I will send the affidavits to the proper local officer in charge of enforcement of the laws. If any citizens bring to my attention a failure of public officers to enforce the laws or if such public officer fails to perform his duty properly will deal with him. I think that is perfectly well understood."

As a result of the continued agitation against gambling the poolrooms are operating differently than before, no tickets being ssued and the entries being kept off the blackboards. The poolroom proprietors say they are ready to fight in court against osing, having an injunction restraining the Sheriff from interfering with them. This injunction was granted several years ago, when the authorities didn't want to close the rooms but were compelled to move by a lawyer.

PARIS FACES FOOD STRIKE.

Little Fear of a Shortage of Fresh Bread To-day-Precautions Against Riot.

Special Cable Despatch to THE SUN. PARIS, April 11 .- At 9 o'clock this morning he strike ordered by the Provision Workers' secretary, M. Bousquet, it is to deprive the I congratulate you that you are still city of bread except that baked by the epresented in the public service by so men's cooperative bakeries. Meat and istinguished and so beloved a son as Mr. groceries also will be unobtainable. The should be sufficient."

tated, as their employees are to quit work. However, as a similar threat has been made annually since 1903 Paris refuses instrial growth and development, nor do to be frightened, and in contrast with the trouble last year there has been little laying in of food supplies. The results of a similar strike which began on Tuesday at Marseilles also encourage the Parisians in their belief that they will get their usual

supply of bread. Of 630 military bakers placed at the Mayor's disposal, the master-bakers have requisitioned only 180. There are 2,200 master bakers in Paris and some 6,000 journeymen. How many belong to the union is unknown. The secretary of the master bakers says 250. Another estimate places the number at 3,000.

Although there is no real anxiety re garding a food famine, it is felt that it is always possible that the unemployed and the Apaches will seize the opportunity to make a demonstration. Accordingly the the right, from my viewpoint. precautions that were taken on May Day last year have been again adopted.

Strong bodies of Republican guards, on foot and horseback, will be placed wherever manifestants can concentrate. The soldiers will be confined to their barracks in readiness for any call. Some squares have been cleared of loose stones and everything else that could be used as missiles.

TO PROSECUTE HARRIMAN LINES. Violations of the Anti-Trust Act and the Rate Law Are Alleged.

WASHINGTON, April 10 .- It was announced at the office of the Interstate Commerce Commission to-day that the record in the Harriman case upon which the Attorney-General is expected to base proceedings against the Harriman lines for alleged violations of the Sherman anti-trust act will be forwarded to the Department of Justice as soon as possible without regard to the outcome of the suit to be filed in the | ing the return of the order Justice MacLean United States Circuit Court in New York praying for an order requiring the magnate to answer questions concerning manipulations of stock of railroads with which he is identified. The indications are that the commission will forward to the Attorney-General by May 1 evidence which Govern-ment officials believe tends to show that the Harriman lines constitute a combination in restraint of trade within the meaning of the provisions of the anti-trust act. It was stated on authority to-day that the commission may cause to be brought against Harriman and his railroads an ac-

tion involving alleged violation of section 5 of the rate act. That section provides: That it shall be unlawful for any common or combination with any other common carrier or carriers for the pooling of freights of different and competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads or any portion thereof; and in any case of an agreement for the pooling of freights as aforesaid

each day of its continuance shall be deemed separate offence. Testimony was adduced by the commission at hearings conducted on the Pacific Coast showing that the Southern Pacific, a Harriman road, and the San Pedro and Los Angeles, which was built by former Senator William A. Clark of Montana, operated under pools in violation of law. Such offences are punishable by a fine of \$5,000, each day of the continuance of a pooling arrangement or contract being deemed a separate offence in the language

Burnett's Extract of Vanilla and strength preeminently superior

DEWEY'S PURE GRAPE JUICE.

ROOSEVELT'S SON-IN-LAW SAYS HE IS THE ONLY MAN

To Carry Forward the Roosevelt Ideas. Policies and Great Reforms After 1908 -Says Rooseveltism Will Be the Burning Issue in the Coming Campaign.

CINCINNATI. April 10.-Congressman Nicholas Longworth and wife arrived here at about 3 o'clock this morning from Washington.

Mr. Longworth lost little time in showing his colors as between Secretary Taft and Senator Foraker. The following statement was issued by him to-day as soon as he had snatched a few hours sleep: "Since it has been announced that Sec-

retary of War William H. Taft has become a candidate it seems to me that the sole question involved is whether or not the Republicans of Ohio will indorse him for the Presidency. Secretary Taft being a candidate for President and for no other office I cannot see how any other offices are here involved.

Personally, and speaking only for myself, am for Taft for President. The great question before the people in the next Presidential election will be, in my opinion, the approval or disapproval of Republican policies as registered by the legislative and executive branches of this Government for the last eight years under the administration of President Roosevelt.

"It seems to me that after the President himself there is no living man who so thoroughly typifies, in the eyes of the people, the spirit of the Roosevelt administration as does William H. Taft.

"There is no one who can be better trusted to carry out many of the great reforms which will be necessarily incomplete upon he retirement of President Roosevelt on March 4, 1909, than can William H. Taft. "His whole life since he became of age

has been devoted to the public service. His record has been without a speck, his character without a flaw, his abilities as a jurist and as an administrative officer have been so distinguished as to have already placed him in the ranks of the very great men in the history of this country.

"Ohio more than any other State is known as the mother of Presidents. I believe that the time is at hand when she may become the mother of another President, for I firmly believe that if the Republicans of Ohio stand by William H. Taft he can be ominated and elected."

When Mr. Longworth was informed that despite the President's statements that he will under no circumstances be a candidate for a third term there are still some who Union is due. According to the union's express the opinion that the President may change his mind, he said: "I feel I can add nothing to what the

> SAYS ONLY ROOSEVELT WILL DO. Senator La Follette Declares for a Third

Term and Vindication. HELENA, Mon., April 10 .- Senator La Follette, who is here lecturing, to-day said:

"If the railroads purpose to encompass the retirement of Theodore Roosevelt they are going at it in a manner that will not succeed. In other words, they will force him to ecept a third term. He will renounce his former declarations and make the race for vindication.

"And, besides, he should run again on general principles, anyway. It will not, in reality. be a third term, for the first three years he served as our Chief Magistrate he essayed and did carry out the policies of the lamented McKinley. It has been only during the present term that he has promulgated and is carrying out his own ideas and plans. As I said before, he is in the right, absolutely in

"The President is entitled to another term and, what is more, the people are entitled to Roosevelt. He must again be a candidate, and his nomination is the equivalent of an election. The needed reforms he has inaugurated must be carried out and he is the one man to do it. Yes, sir, we must have Roosevelt again; no one else will fill the bill."

POWER HOUSE AS A NUISANCE.

Interborough Windows Shut by a

Justice MacLean of the Supreme Court granted yesterday an order requiring the Interborough Rapid Transit Company to show cause on April 15 why it should not be permanently restrained from operating its power house in East Nineteenth street. between Fourth avenue and Irving place, in such a way as to be a nuisance to the persons living in the neighborhood. Pendalso granted a temporary injunction, which compels the company to run the plant with as little noise as possible and keep the win-

dows shut. James Proctor, who lives at 113 Fast Eighteenth street, applied for the order. He has also brought a suit for \$500 damages. Proctor says that he and his family have neither peace nor comfort in their home because of the noise and dirt of the power house and he believes that other people in the neighborhood are similarly annoyed. Things were not so bad, Proctor says, while the windows and other openings in the power house were kept closed, but in January last they were all thrown open, and as a result of the dirt, noise and vibration residents have moved away or refused to pay rent. Mrs. Proctor has a studio in their home and her pupils have drifted away since the power house windows were

opened. The windows of the power house were closed last night and the men inside were kicking. The foreman said that it would be impossible for the men to work in the place in warm weather unless the windows were open.

HARTFORD, April 10 -Evidently the Republican leaders of the General Assembly got scared because the resolution introduced in the House yesterday indorsing President Roosevelt in his controversy with E. H. Harriman was rejected, for this afternoon another resolution indorsing the President with all reference to Harriman eliminated was introduced and passed unanimously. The resolution expresses confidence in the President's honesty of purpose and "unswerving fidelity."

ARAPAHOE DISABLED.

Her Wireless Calls the Apache and Then Tug to Bring Her In.

The Clyde liner Arapahoe, which sailed from Jacksonville on Sunday, touching at Charleston the next day, dropped her propeller in a choppy sea about 170 miles below Sandy Hook on Tuesday night and came to anchor. She is equipped with De Forrest wireless and she began to feel around for her sister ship, the Apache, bound from this port to Jacksonville and due in the neighborhood. The two ships got into communication long before they sighted each other, and the Arapahoe told where she might be found. The exact position of the Arapahoe was off the upper Virginia coast, about sixteen miles southeast of Vinter Quarter lightship. The Apache got two hawsers aboard the

her tow. The sea became very rough as the ships got into the zone of the storm of Tuesday, and at 8:30 o'clock last night the hawsers parted off Cape Henlopen, Dela-Meanwhile, a De Forrest station on shore had got word to Mr. Eggers of the line, and at 5 o'clock last night he sent down the

ocean tug Hallenback to bring the disabled

ship to her North River pier. Capt. Rock-

Arapahoe and proceeded slowly north with

well, port captain of the line, went on the ug to superintend the job. Mr. Eggers said last night that the Arapahoe had a large number of passengers and that the wireless had reported all hands well. The Apache, which also has passengers bound for Charleston and Jacksonville. will be about twenty hours late. She was ordered to proceed as soon as arrangements were made by wireless to relieve her with the ocean tug. It is probable that the Arapahoe will not get here until late this afternoon. She was due yesterday morning. Her commander did not tell his agenta how he came to lose the propeller.

GENOA'S LOST VAN DYCKS.

Mr. Morgan Assures Italian Minister That He Knows Nothing of Them. Special Cable Despatch to THE SUN

ROME, April 10 .- J. Pierpont Morgan called upon Luigi Rava, Minister of Public Instruction, yesterday to inform him that he had nothing to do with the alleged purchase of the seven Van Dyck portraits, he property of Marquis Cattaneo della Volta of Genoa, which disappeared several nonths ago. Mr. Morgan also made a call on Cardinal

Merry del Val, the Papal Secretary of State. DE BROGLIES HISSED IN ROME. Furious Resentment of Prince's Attack on

Nobility-Barred From Stage. Special Cable Despatch to THE SUN ROME, April 10.-The city officials have forbidden the Prince and Princess de Broglie to continue their appearance in vaudeville here owing to a row at Margherita Hall last night, when they were vigorously hissed and the Princess's voice was drowned

by whistles and other noise making instru-The couple have been freely criticised President has said on that subject. That but no hostility was shown toward them sight in an effort to prevent him for all until the Prince, in a newspaper interview, carrying out the threat made in his letters scored the local aristocracy for their ill breeding. He said that contact with them

> retired from the ranks of aristocracy. His next appearance at the theatre brought forth a furious demonstration of | to die. animosity, but he received it in dignified calm. According to the newspapers, the Princess made gestures of angry defiance, finishing by placing her thumb to her nose, with her fingers outspread. The authorities base their refusal to allow them to appear again upon the probability of a

The de Broglies are booked to appear at Naples and elsewhere in Italy. There is much curiosity respecting their reception in these places.

COMPLAIN OF POWER PLANT. Edison Chimney Beiches Forth Cinders and Smoke, Neighbors Say.

A delegation of residents who live in the neighborhood of the New York Edison Company's power plant at First avenue and Thirty-ninth street appeared in the Yorkville police court yesterday to protest against what they described as a great smoke and cinder nuisance. Samuel Levine of 317 East Forty-first

street headed the complaining delegation who were supported by Lawyer Donahue and John H. Cook, an inspector of the Board of Health. John H. Chisholm, the engineer of the works, and Foster L. Moore, his assistant, were there on a summons. Levine said he and his neighbors for several months were victims of a Mont Peles

on a small scale, as cinders and soot were continually dropping upon their premises from the big chimneys. They complained many times, but all the satisfaction they got was the suggestion that they could move if they did not like the neighborhood. Magistrate Sweetser said he sympathized

with the delegation if all they said was true. He adjourned the hearing for a week.

RAID REAL ESTATE POOLROOM. Place Had Been Running Only Two Hours When Sleuths Descended

Capt. Thompson of the Tenderloin police station heard yesterday that a poolroom, in the dress of a real estate office, was start ing on the fifth floor of an office building at 3 East Seventeenth street. Three detectives went around in the afternoon. They told Adolph Auerbach, who answered the bell, that they were looking up some real estate.

"My brother is in the back room now making a deal at Bennings," Auerbach replied, according to the detectives. They pushed through past Long Island realty maps and found twenty men in the back room, with telephones and racing sheets. Isidore Auerbach, who said he lived at the Breslin, was arrested for keeping a pool-room, and his brother Adolph, Continental Hotel, for aiding. The place had been open only two hours.

SEEKS RELEASE FROM ASYLUM Ex-Senator Brackett Appears for James Wallace Morrell

Ex-Senator Edgar T. Brackett appeared yesterday in the Supreme Court before Justice MacLean as counsel for James Wallace Morrell, an alleged incompetent. Mr. Morrell is a wholesale coal dealer and lived at the Gallatin, 70 West Forty-sixth street, but for some time has been in a sanitarium. His wife, Ellen C. Morrell. says that he suffers from a functional disorder of the brain, which can be cured only by a long rest in secluded surroundings. Lawyer L. F. Fish, who retained ex-Senator Brackett, sued out a habeas corpus for the production of the alleged incompetent in court, and Justice MacLean set April 18 as the date for argument on the return to

After all, USHER'S the Scotel ade the nighball famous.—Ade.

SHOT HIMSELF IN THEATRE BOX

ETHEL LEVY FLEES AS RICH PITTSBURGER FIRES.

HeWaited Till House Was Flooded With Light After Dark Scene - "Pittsburg Paran ila; An Impulse to Do Something Sensational," Said Wounded Man's Uncle.

PITTSBURG, April 10 .- While suffering from suicidal mania, and after carefully arranging for spectacular effects, Robert M. Crow, 22 years old, of 326 Braddock avenue. East End, stood up in a box during the performance at the Grand Opera House this afternoon and fired a bullet into his abdomen.

At the Homoeopathic Hospital it is said to-night that the bullet passed through the young man's intestines, causing several punctures and lodging at the base of the spine. His chances for recovery are very slight.

Crow is a nephew of H. C. McEldowney, president of the Union Trust Company. the H. C. Frick bank.

"Pittsburg paranoia, an uncontrollable mpulse to do something sensational," is the terse way in which Attorney W. C. McEldowney, another uncle of the young man, described the motive for the deed. Crow is known by members of his family

to have been mentally unbalanced for several months. The young man was under the delusion that he should be able to accumulate an immense fortune in a very short time. His complete mental unbalance came with the introduction of expert testimony into the trial of his personal friend Harry K. Thaw. Crow has for several weeks spent all his time reading works on insanity.

This afternoon he bought a box seat in the theatre. He was hardly seated before he wrote letters to his uncles telling them that he was about to end his life. These he sent out by messenger boys.

When Ethel Levy came on the stage for her act all the lights were turned out with the exception of the spotlight. ('row calmly stood up in the box and loaded a 38-calibre revolver which he took from his overcoat pocket. Then as the house was flooded with light at the conclusion of Miss Levy's "Unrequited Love" song Crow was revealed to the entire audience standing with the revolver against his

Miss Levy put her hands over her face and fled from the stage just as Crow discharged the weapon. Great excitement followed. Women in the audience screamed and fainted. Crow was carried back of the stage and an ambulance was summoned from the Homosopathic Hospital.

When the ambulance arrived a moment later H. C. and W. C. McEldowney were just passing the theatre on their way to Police Headquarters to ask that a general by the press ever since they appeared here, order be issued for the arrest of Crow on

and the wife of Crow and they hurried had further lessened his regret at having to the hospital. The young man was conscious when they arrived, but refused to talk further than to say that he wanted "Robert has been mentally deranged for some time," said W. C. McEldowney at the

hospital. "His act was not entirely unexpected by me. It was no doubt due to an insane impulse to do something sensational. He did not have a real care or worry in the world." Crow was married only a year ago, and

with his young wife and mother lived in a showy house in the East End suburb. At the theatre the police, with the assistance of the attachés, finally succeeded in quieting the audience and the show proceeded. Miss Levy was too much overcome, however, to go on with her act.

"I never saw anything so terrible," she "Just as the lights were flashed on I saw the man standing in the box with the revolver in his hand. I thought at first that he was going to shoot at me and I ran from the stage."

PRISONER A NAVAL CADET? Combes Arrested Here for Cashing Bogus Checks in Baltimore.

A youth who was registered at Police Headquarters as David Combes, 22 years old, a cadet, of Washington, D. C., was arrested at the Fifth Avenue Hotel yesterday afternoon by Detective Sergeants Mahoney and Bonnoil. He was arrested on a telegram from Marshal Farnan of Baltimore, where he is wanted for passing bogus checks.

BALTIMORE, April 10 .- David S. Combes, who was arrested in New York at the instigation of Marshal Farnan, is wanted here for passing bogus checks. Combes lived at a boarding house in Franklin street. where he formed the acquaintance of Percy L. Small, a student. He represented himself to be a naval cadet and showed a uni-

form to prove his identity. He induced Small to cash two checks, one for \$25 and another for \$75. After obtaining the money he left town. When the checks were returned as bogus the victim notified the police and Combes was traced to New York. He is 23 years

MANY IN PERIL AT EXETER FIRE. Thirty-five Students Barely Escape structor Badly Burned.

EXETER, N. H., April 10. - In a fire which destroyed Dunbar Hall, a four story wooden dormitory of Phillips-Exeter Academy, early this morning thirty-five students barely escaped with their lives. The building was burned to the ground. The loss is estimated at \$50,000.

The students were asleep in the upper oms, and the flames cut off their escape from below. They leaped to the ground from the windows, and many were severely bruised. A roll call this morning showed that all escaped. Lawrence Crosby, an instructor, was caught by the flames in his room on the fourth floor. At the last moment he slid down the iron rod of a broken fire escape through flames that were shooting out of the windows below and was badly burned before he reached the ground. He was removed to a hospital.

Dunbar Hall was the oldest building of the academy and it was soon to be torn down to be replaced by a more modern

D. A. R. CONVENTION WASHINGTON,
To afford an opportunity to visit the Jamestown
Exposition persons attending the D. A. R. Convention via Pennsylanta Railroad can leave Washington until May 4, by depositing validated certifisates with Station or City Taket Agent on or before
April 24th. Apply to Taket Agenta.—Ade.

10 TO 7 ON DISAGREEMENT. Handbook Betting in the Tenderloin on the

Thaw Verdict. There were many bets made on the result of the Thaw trial in saloons and on the street corners of the Tenderloin last night after the jury had gone out.

The usual odds offered bettors by the books were 10 to 7 that there would be a Locked Up at Eleven Affe. disagreement. When it came to betting that Thaw would be acquitted the bettor had to put up \$2 for a chance to win \$1. The odds offered on the conviction end

There was no open betting, but in pretty nearly every saloon persons willing to make book were to be found.

The saloons were doing a good business until the closing hour, as many hoped that the jury would come in before 1 o'clock

FINDS A NEW SUN SPOT. Dr. Mitchell of Columbia Discovers One as Large as Prof. Brashear's.

Dr. S. A. Mitchell, an instructor in astronomy at Columbia University, an nounced yesterday that he had discovered a new sun spot which he says is as large Jerome in His Summing to Riddles by as that discovered by Prof. Brashear of Allegheny on February 13. According to Dr. Mitchell the sun spot is more remarkable because the period of frequency of spots is long past. As soon as he discovered the spot Dr. Mitchell made several observations of its spectrum and came to the conclusion its temperature was much lower than that of the other parts of the sun. This he said was the case with all

of these peculiar phenomena. This spot, which is one of a number with which the surface of the sun seems to be dotted, is near the meridian. It is much larger than any of the others and seems to be the centre of an unusual solar activity. With the aid of a piece of smoked glass the spot could be seen clearly yesterday morning. A small telescope disclosed numerous other spots with which the larger one was surrounded.

Dr. Mitchell does not look for any very violent atmospheric disturbances as

Says Friends Have Urged Him to Attack Mayor-Elect Busse's Majority. CHICAGO, April 10.-Possibility of an election contest, based upon allegations of "the small plurality obtained by Fred A. Busse and upon alleged wholesale bribery and corruption in the river wards," de-

DUNNE TALKS OF A CONTEST.

veloped to-day. Mayor Dunne made a statement in which ne said that such action was being urged upon him by his friends. The Mayor stated that he had reached no conclusion as to

what action if any he would take. The evidence which would be necessary for the prosecution of a contest, the Mayor said, came to him from men who declare that they personally know of instances upon which to base the action.

STRIKE ON NEGRO FIREMAN. That He Be Removed From Their House. CHICAGO, April 10 .- Fourteen members of Truck Company 2, Clinton and Wash-

ington streets, headed by their captain, Timothy Smith, invaded the office of Fire Marshal Horan to-day and threatened to resign if a negro fireman, recently appointed, was to be kept at the quarters of the truck company.

Capt. Smith pointed out that, unlike the policeman, the home of the firemen was in the engine house and if a negro were appointed to a white company the white men must live with him, eating their meals with him and sleeping in the same quarters. It was impossible for his men, he said, to endure such conditions.

Chief Horan, who was astounded by the walkout" of his men, promised them that the negro would be transferred, but explained that he had to appoint men who were placed on the lists by the Civil Service Commission, regardless of any personal opinions or of color.

KAISER LOSES LAWSUIT.

Hunting Estate at Rominten. Special Cable Despatch to THE SUN

BERLIN, April 10.-The Kaiser has lost a lawsuit against one of his tenants in the court at Insterburg. The Kaiser Hotel, near the royal hunting lodge at Rominten, was leased to a man of the name of Kalweit in 1903. Now

on the ground of sundry grievances, in-

cluding charges of personal drunkenness

and allowing disturbances on the premises.

the chief court marshal has applied for the recision of the lease. It was shown in the course of the hearing that Kalwait never obtained a liquor license but this was not one of the complaints, the local authorities not having enforced

a license, assuming that the Emperor's property was above the law.

The long hearing ended by the court finding for the defendant, who presumably unuing for the defendant, who presumably will remain the tenant of the hotel.

YELLOW BEDSPREAD WINS. Mrs. Camp to Have a Separation From Man

Who Preferred Blue After hearing testimony for two days Justice Leventritt in the Supreme Court decided yesterday that Mrs. Alice Camp is entitled to a separation from I. Edward

Camp, a salesman, with alimony of \$40 Mrs. Camp kept a boarding house in which Camp came to board. She had divorced one husband and buried another before she married him. They had many quarrels, the principal one over a bed quilt. She wanted a yellow one and he a light blue. She also accused him of cruelty and continued abuse. He declared that he wanted that he is that the state of the second s and continued abuse. He declared that he had always been kind to her, but that "their love had grown cold" because of her bad temper and the interference of her daughter.

SQUADRON C'S NEW HOME Formally Opened by the Mayor, Who Pre-

child of one of her previous husbands.

sents the Keys to Major De Bevoise. Squadron C's new armory, in Bedford avenue near Eastern Parkway, Brooklyn, was formally opened last night in the presence of several thousand civilian guests. Mayor McClellan reached the armory shortly after 8 o'clock. As head armory shortly after 8 o'clock. As head of the city government he presented the keys to Major Charles I. De Bevoise, commanding officer of the squadron. The men were reviewed by the Mayor and Gen. James McLeer. There was a drill, a polo match, a music ride and rough riding.

To-night Major-Gen. Charles F. Ror and numerous military men will be of the squadron at the of the squadron at the armory and at the brooklyn Union League Club.

THAW JURY **OUT ALL NIGHT**

Having Had the Case Six Hours.

NO UNWRITTEN LAW HERZ

Justice FitzGerald Charges Tha Insanity is the One Defence Pleaded.

mas's Plea of "Dementia American." and Insists That Thaw's Every showed Him Sane at the Time of the Murder-Plays in Evelyn Thaw's \$10." -Her Blary Read to Show That Wh. Was No "Angel Child"-No Bars si With Hummel-Thaw Presumed to 1: Sanc. Says Justice PitzGerald-Ruma;

The case of Harry K. Thaw went a the jury yesterday afternoon at 5:15,0'clcc The jury went to dinner and immediates upon its return to the Criminal Courts Building was locked up in the jury room and began its consideration of the evidence At 11 o'clock, no agreement having been

reached, Justice FitzGerald telephone,

from his home ordering Court Captais

of Diven ion in the Pri oper's Family

Lynch to lock the jury up for the night Justice FitzGerald will open court at 10:3 this merning ready to receive the verdice of the jury in case one has been reached le that time. When the telephoned order of the Judge was received the court officers and the

police at once cleared the building of the

curious persons who had hung about evel since the case was closed. Thaw was kept in the prison pen on the first mezzanine floor of the building while the jury was deliberating. He was attended by a prison guard and by all the members of the Thaw family who have been in court during the trial, with the exception of his-mother and the Countest

of Yarmouth, his sister. Prison Chaplain Wade and the Rev. Robert B. Kimber of 2 West Thirty-sixtl street spent much of the time of waiting with the defendant. With him too was Prison Guard Cannon. Cannon has a child who is very sick, and this was told to Thaw, who said just before the guard left him to go to the bedside of his child: "Your

case is really much worse than mine." Jury Goes Out at 5:13.

It was precisely quarter past 5 o'clock when the jury went out and the spectators speedily left the court room. The news that the jury was out spread fast and a great crowd gathered at the various enrances of the Criminal Courts Building, hundreds of working people on their way

home stopping for a few minutes to catch a glimpse of the main figures in the trial. Ten minutes after Thaw had left the court room there was a rumor that he had collapsed in the pen. Commissioner Coggey of the Department of Correction was in the building and he gave permission to Lawyer O'Reilly to take the members of Thaw's family up to see him. They re-mained with him for nearly half an hour. Young Mrs. Thaw then came down to the ground floor and entered a telephone booth. "It's absurd," she said. "Harry is bearing the suspense bravely. Collapsed? Not

nearer that condition than at any other time since the trial began. 'The Judge's charge has scared him half. to death. He has finally been made realize what he's up against," said the

However, the prison keepers said he was

keeper who had him in immediate charge. When the jury retired Mrs. William Thaw, Mrs. George L. Carnegie, the Cou of Yarmouth and Mrs. Evelyn Thaw walked out of the court room together. When whey got outside it appeared to those in the corridor that Harry's wife was shunted to one side. At any rate Thaw's mother and two sisters walked up the stairway to the menzanine floor alone, and his wife went up with

Lawyer O'Reilly. When Mrs. Evelyn Thaw hurried out of the prison pen and ran down the steps to the basement to telephone, she was heard to say: "It's terrible." The young woman's face was flushed, and she wee greatly agitated. That fact became the basis for a story that there had been some unpleasantness between Thaw's mother and sisters and herself, while they were

visiting the prisoner. Young Mrs. Thaw Dines With O'Rellly. After the defendant's wife had telephoned. she accompanied Lawyer O'Reilly to a restaurant around the corner in Franklin street, where they retired to a rear room

and wouldn't be seen. As they passed down through the long room they had to walk by a table where sas Mr. Jerome, Mr. Garvan, ex-Assistant District Attorney Rand and several of the District Attorney's staff. Mrs. marched past the group with her head in the air and a calm smile upon her face. Soon afterward, Thaw's mother, with the Countess of Yarmouth and Mrs. George L. Carnegie, went to the Hotel Lorraine in an electric cab. Josiah and Edward Thaw departed within a few minutes, walking slowly north. They appeared exceedingly gloomy and would not talk, even to counsel on their side.

Lawyer Peabody said that Thaw's mothe and sisters would not return to the court building during the evening, but would keep in touch with it from the Hotel Lor

Just before leaving to the dinner